

Renegotiating Sovereignty? Māori Resistance in the Face of Colonial Erasure



by Ashley Kyne

LAST WEEK, on November 14th, Māori Member of Parliament Hana-Rawhiti Maipi-Clarke rose in the Aotearoa (New Zealand) Parliament to vote on a proposed Treaty Principles Bill. Opposing the proposed law, she tore the bill in half and led a haka alongside members of her party, Te Pāti Māori. The haka, a traditional Māori expression of resilience and unity, disrupted proceedings and symbolized collective opposition to the proposed reinterpretation of the Treaty of Waitangi. Indigenous Peoples around the world have watched clips and celebrated the moment. Meanwhile, critics, including mainstream media outlets, described the event as a disruption, ignoring its deeper significance as an assertion of Indigenous identity and rights.

The Torn Bill

Why the resistance to this proposed legislation?

The bill, introduced by David Seymour, leader of the Association of Consumers and Taxpayers Party, seeks to create more rigidly defined principles for the Treaty of Waitangi—Aotearoa’s founding document. The bill proposes that principles outlined by the courts since 1975 be reinterpreted along the lines of a narrow interpretation of the Treaty: that the government holds “full power to govern”¹ and that Māori rights are recognized only to the extent they were in 1840 (the date of the treaty) unless explicitly agreed upon through historical settlements.

Entrenching this narrow interpretation of the Treaty has been widely criticized for erasing Māori rights and undermining decades of progress toward recognizing Māori sovereignty. Labour, the opposition party, condemned it as divisive and regressive, stating that it risks undoing decades of progress in building cooperation and trust between Māori and the Crown.²

Tearing the bill signifies resistance to a proposed law that many Māori see as a direct attack on their culture, institutions, and existence within Aotearoa’s settler society.

Hana-Rawhiti Maipi-Clarke’s action was not a disruption but a rejection of legislation that diminishes Māori autonomy. Her act embodied a refusal to allow colonial systems to dictate the terms of Māori rights on their land.

The origin of this resistance lies in a series of policies by the conservative coalition government, led by Prime Minister Christopher Luxon, that have systematically dismantled Māori initiatives.

Since coming to power in 2023, the government has abolished the Māori Health Authority,³ cut funding to te reo Māori language programs, and supported reforms many see as regressive.⁴

Understanding the Treaty of Waitangi

The Treaty of Waitangi established a formal relationship between the British Crown and Māori leaders. It allowed for the British annexation of Aotearoa while requiring the Crown to protect Māori possessions and grant Māori the same rights as British subjects.⁵

Still, the treaty has long been a source of tension due to discrepancies between the Māori and English versions. While the Māori version emphasized the protection of Māori sovereignty (*tino rangatiratanga*) and a partnership with the Crown, the English translation implied that Māori ceded sovereignty to the British Crown.⁶ The term *kāwanatanga* in the Māori version was understood as governance or administrative control; however, the English translation framed it as the complete transfer of sovereignty.⁷ These differences in interpretation have led to ongoing disputes, as the Crown's preference for the English version has shaped policies and actions that many Māori argue breach the essence of the agreement.

Over time, the Treaty was often ignored, leading to significant land loss and suppression for Māori generally.⁸ Advocates of the Treaty's erasure claim it causes division by granting Māori "special" privileges. This rhetoric frames Māori rights as concessions rather than foundational principles, ignoring the Treaty's role in ensuring Māori equality and protection under the Crown.

The Waitangi Tribunal was established in 1975 to address grievances and recommend solutions. These efforts have led to key successes, such as protecting the Māori language and land settlements.

Despite this progress, the Tribunal's lack of enforcement power and government hesitancy to act on its recommendations mean that Māori rights under the Treaty remain fragile and subject to shifting political winds. Seymour's bill threatens to erase decades of incremental gains by redefining these rights to better suit the colonial status quo.

The Demonization of Māori Resistance

The portrayal of Maipi-Clarke's actions in parliament highlights a deeper issue: the demonization of Indigenous resistance. Headlines such as "Moment MP Leads Haka to Disrupt New Zealand Parliament"⁹ reduce a culturally

meaningful resistance to an act of rebellion, perpetuating colonial narratives that frame Indigenous Peoples as unruly and disruptive. This narrative echoes patterns seen in other colonial contexts. Carleton (2011) critiques Canadian history textbooks for perpetuating the "textbook Indian" stereotype, portraying Indigenous Peoples as "male, uncivilized, and violent"¹⁰ (p. 120) and as a hindrance to nation-building (Simpson, 2017).¹¹ Similarly, Justice (2018) describes how settlers' ignorance stems from a "deficit model of Indigeneity,"¹² which blames Indigenous Peoples for their struggles while ignoring the systemic colonial assaults that created those struggles.

These colonial narratives dehumanize Indigenous resistance and reduce these acts to selfishness or barbarity. Comments on social media about the haka in Parliament referred to it as "cringe" or labelled Māori as "savages," further illustrating this dynamic.¹³ Such views uphold the colonial narratives by dismissing Māori efforts to assert their rights and maintain their cultural identity.

Rather than understanding Maipi-Clarke's actions as an assertion of sovereignty, critics misrepresent them as rejecting national unity.

This misrepresents the act, negatively shapes public perception and reinforces stereotypes of Māori as threats to the nation rather than as equal partners in its governance.

Resistance and Treaty Justice

Hana-Rawhiti Maipi-Clarke's tearing of the bill in Parliament was not a disruption but an act of resistance against colonial erasure and the silencing of Māori voices. The hiko and haka across Aotearoa reveal the growing frustration among Māori over policies that dismantle their rights and culture.

As Aotearoa grapples with these debates, the country is confronting its colonial legacy and hopefully revisiting the Treaty not as a divisive document but as a framework for genuine partnership. Resistance like Maipi-Clarke's reminds us that justice requires more than symbolic recognition—it demands a commitment to equity and respect for Indigenous sovereignty.

By challenging colonial narratives and centring Indigenous voices, Aotearoa might move toward a future where Indigenous rights are recognized and respected without the need to compromise their existence.

CITATION

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ENDNOTES

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- ² New Zealand Government. (2024, August, 28). *Regulatory Impact Statement: Providing Certainty on the Treaty principles*. Ministry of Justice. <https://www.regulation.govt.nz/assets/Ministry-for-Regulation-files/Regulatory-impact-statements-RISs/published-10/10/2024/Regulatory-Impact-Statement-Providing-certainty-on-the-Treaty-principles.pdf>
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- ⁶ Ibid.
- ⁷ Ibid.
- ⁸ Smith, L.T. (2021). *Decolonizing methodologies: Research and Indigenous peoples* (3rd ed.). Bloomsbury Publishing.
- ⁹ Jose, R., & Jackson, L. (2024, November 14). *New Zealand MPs disrupt parliament with haka to protest Indigenous treaty bill*. Reuters. <https://www.reuters.com/world/asia-pacific/new-zealand-parliament-debates-controversial-bill-protesters-march-capital-2024-11-14/>
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- ¹¹ Simpson, L. B. (2017). *As we have always done: Indigenous freedom through radical resistance*. University of Minnesota Press
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